



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

DEC 07 2007

REPLY TO THE ATTENTION OF  
AE-17J

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Timothy J. Haniford  
Plant Manager  
Chemtrade Logistics (U.S.), Inc.  
7680 Ottawa Road  
Cairo, Ohio 45820-0310

Dear Mr. Haniford:

This is to advise you that the U.S. Environmental Protection Agency has determined that the Chemtrade Logistics (U.S.), Inc.'s facility at 7680 Ottawa Road, Cairo, Ohio (you) is in violation of the Clean Air Act (CAA) and associated state or local pollution control requirements. A list of the requirements violated is provided below. We are today issuing to you a Notice of Violation and Finding of Violation (NOV/FOV) for these violations.

The CAA requires the development of Primary and Secondary National Ambient Air Quality Standards (NAAQS) to protect public health and welfare. To attain and maintain these standards, each State is required to develop an implementation plan. Among other things, each implementation plan must include a permit program to regulate the modification and construction of any stationary source of air pollution as necessary to assure that NAAQS are achieved. The State of Ohio has incorporated such a permitting program into its State Implementation Plan (SIP). Under this program, owners or operators must obtain a permit to install (PTI) from the director of the Ohio Environmental Protection Agency (Ohio EPA) before beginning installation of a new source of air pollutants or the modification of an existing air containment source.

Title I, Part C of the CAA requires that all SIP permit programs contain rules regulating the construction and modification of major stationary sources in areas that have achieved attainment with the NAAQS. These rules are known as Prevention of Significant Deterioration (PSD). Under PSD rules, any major stationary source must obtain a preconstruction permit prior to commencing construction on any modification, if the modification is major in that it will result in a significant net increase in emissions of a regulated pollutant, and if the source is located in an area which has achieved the NAAQS for that pollutant. All preconstruction permits issued to sources subject to PSD must require (1) the application of Best Available Control Technology (BACT) and (2) a demonstration that the proposed modification does not cause or contribute to a

violation of the NAAQS or cause any other significant deterioration of air quality. The State of Ohio has incorporated PSD rules into its SIP.


In addition, Section 111 of the CAA requires EPA to implement the New Source Performance Standards (NSPS) program. The NSPS are nationally uniform emission standards for new or modified stationary sources falling within industrial categories that significantly contribute to air pollution. The "Standards of Performance for Sulfuric Acid Plants" at 40 C.F.R. Part 60, Subpart H, limits the emission of sulfur dioxide to 2 kilograms per metric ton of 100% sulfuric acid produced (4 pounds per ton) and the emission of sulfuric acid mist to 0.075 kilograms per metric ton of 100% sulfuric acid produced (0.15 pounds per ton) from any sulfuric acid plant constructed, reconstructed or modified after August 17, 1971. The sulfuric acid NSPS also contains monitoring, testing, and reporting requirements.

Section 113 of the CAA gives us several enforcement options to resolve these violations, including: issuing an administrative compliance order, issuing an administrative penalty order, bringing a judicial civil action, and bringing a judicial criminal action.

Section 113 of the CAA provides you with the opportunity to request a conference with us about the violations alleged in the NOV/FOV. A conference should be requested within 10 days following receipt of this notice. A conference should be held within 30 days following receipt of this notice. This conference will provide you a chance to present information on the identified violations, any efforts you have taken to comply, and the steps you will take to prevent future violations. Please plan for your facility's technical and management personnel to take part in these discussions. You may have an attorney represent and accompany you at this conference..

The EPA contact in this matter is Nathan A. Frank, P.E. You may call him at (312) 886-3850 if you wish to request a conference. EPA hopes that this NOV/FOV will encourage Chemtrade's compliance with the requirements of the Clean Air Act.

Sincerely yours,



Stephen Rothblatt, Director  
Air and Radiation Division

Enclosure

cc: Robert Hodanbosi, Ohio EPA, DAPC  
Donald Waltermeyer, Ohio EPA, NWDO

United States Environmental Protection Agency  
Region 5

IN THE MATTER OF:	)	
	)	
Chemtrade Logistics, (U.S.), Inc.	)	NOTICE OF VIOLATION and
Cairo, Ohio	)	FINDING OF VIOLATION
	)	
	)	EPA-5-08-OH-01
Proceedings Pursuant to	)	
the Clean Air Act,	)	
42 U.S.C. §§ 7401 et seq.	)	

**NOTICE AND FINDING OF VIOLATION**

Chemtrade Logistics (U.S.), Inc. (you or Chemtrade) owns and operates one contact process sulfuric acid plant at 7680 Ottawa Road, Cairo, Allen County, Ohio (Source).

EPA is sending this Notice of Violation and Finding of Violation (NOV/FOV or Notice) to notify you that we find your Source in violation of the following provisions under the Clean Air Act (CAA or the Act): Prevention of Significant Deterioration (PSD) rules at Sections 110, 165(a) and the implementing regulations under the Ohio State Implementation Plan (SIP); the New Source Performance Standards (NSPS) at Section 111 and the implementing regulations at 40 C.F.R. Part 60; and the Title V permitting requirements at Section 502 and the implementing regulations at 40 C.F.R. Part 70.

These violations stem from the fact that previous owners or operators of the Source conducted a major modification of the sulfuric acid plant at the Source without obtaining a permit under the PSD program that would have required the installation and continuous operation of Best Available Control Technology (BACT) for control of sulfur dioxide (SO<sub>2</sub>) emissions from the sulfuric acid plant. Since it acquired the Source in 2001, Chemtrade has continuously operated the sulfuric acid plant without employing required BACT to control SO<sub>2</sub>. Furthermore, Chemtrade's sulfuric acid plant continuously emits SO<sub>2</sub> and sulfuric acid mist emissions in excess of the New Source Performance Standards (NSPS) for sulfuric acid plants specified at 40 C.F.R. Part 60, Subpart H. Finally, Chemtrade failed to incorporate PSD and NSPS as applicable requirements into its Title V permit in violation Section 502 of the Clean Air Act and its implementing regulations at 40 C.F.R. Part 70 and OAC 3745-77.

Section 113 of the Act provides you with the opportunity to request a conference with us to discuss the violations alleged in the NOV/FOV. This conference will provide you a chance to present information on the identified violations, any efforts you have taken to comply, and the steps you will take to prevent future violations. Please plan for the facility's technical and

management personnel to take part in these discussions. You may have an attorney represent and accompany you at this conference.

## **Explanation of Violations**

1. The following provisions of the CAA, its implementing regulations and the Ohio SIP are relevant to this NOV/FOV:

### Prevention of Significant Deterioration

- a. Section 110 of the Act requires each state to adopt and submit to EPA for approval a State Implementation Plan (SIP) that provides for the maintenance, implementation and enforcement of the National Ambient Air Quality Standards (NAAQS). Under Section 110(a)(2) of the Act each SIP must include a permit program to regulate the modification and construction of any stationary source of air pollution as necessary to assure that NAAQS are achieved.
- b. Part C of Title I of the CAA (Sections 160 through 169) establishes the federal PSD permitting program by requiring each state to include preconstruction review of all new or modified major stationary sources of air pollution in areas attaining the NAAQS as part of its SIP. Specifically, Section 165(a) prohibits a major stationary source from constructing a modification without first obtaining a PSD permit and installing BACT if the source is located in an area which has achieved the NAAQS for that pollutant.
- c. On June 19, 1978, EPA established regulations implementing the federal PSD program at 40 C.F.R. § 52.21. 43 Fed. Reg. 26403 (June 19, 1978). The PSD regulations were revised on August 7, 1980 (45 Fed. Reg. 52676) in response to a decision of the U.S. Court of Appeals for the D.C. Circuit. Subsequent to 1980, the PSD regulations have also been revised.
- d. The authority to implement the federal PSD regulations (40 C.F.R. § 52.21) was delegated to the State of Ohio in a letter from EPA dated May 1, 1980, and thereby incorporated into the Ohio SIP. 40 C.F.R. § 52.1884 and 46 Fed. Reg. 9580 (January 29, 1981).
- e. EPA granted conditional approval of the relevant Ohio SIP PSD provisions on October 10, 2001, and final approval on January 22, 2003. 66 Fed. Reg. 51570 (October 10, 2001) and 68 Fed. Reg. 2909 (January 22, 2003). Ohio's PSD program is located in Ohio Administrative Code (OAC) 3745-31-01 through 3745-31-20. These rules mirror the federal PSD regulations codified in 40 C.F.R. § 52.21 in the July 1, 2001 revision of the Code of Federal Regulations.
- f. Facilities in Ohio were required to comply with the federal PSD program at 40 C.F.R. § 52.21 prior to October 10, 2001. Facilities in Ohio are required to comply with the Ohio PSD SIP approved program on and after October 10, 2001.

See 66 Fed. Reg. 51570 (October 10, 2001). Revisions to 40 C.F.R. § 52.21 made on or after October 10, 2001 are not currently effective in Ohio. See 68 Fed. Reg. 2909 (January 22, 2003). For this purpose, the PSD provisions contained in the July 1, 2001 revision of the Code of Federal Regulations are provided here.

- g. 40 C.F.R. § 52.21(b)(1)(i)(a)(2001) defines a “major stationary source” as any stationary source within one of 28 source categories which emits, or has the potential to emit, 100 tons per year or more of any air pollutant subject to regulation under the Act. Sulfuric acid plants are included among the 28 source categories. This definition is mirrored in the Ohio SIP at OAC 3745-31-01(SS).
- h. 40 C.F.R. § 52.21(b)(2)(i)(2001) defines a “major modification” as any physical change in or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under the Act. This definition is mirrored in the Ohio SIP at OAC 3745-31-01(RR).
- i. 40 C.F.R. § 52.21(b)(3)(i)(2001) defines “net emissions increase” as the amount by which the sum of the following exceeds zero:
  - i. Any increase in actual emissions from a particular physical change or change in method of operation at a stationary source; and
  - ii. Any other increases and decreases in actual emissions at the source that are contemporaneous with the particular change and are otherwise creditable.

This definition is mirrored in the Ohio SIP at OAC 3745-31-01(YY).

- j. 40 C.F.R. § 52.21(b)(4)(2001) defines potential to emit (PTE) as the maximum capacity of a stationary source to emit a pollutant under its physical and operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source. This definition is mirrored in the Ohio SIP at OAC 3745-31-01(HHH).
- k. 40 C.F.R. § 52.21(b)(12)(2001) defines BACT as an emissions limitation (including a visible emission standard) based on the maximum degree of reduction for each pollutant subject to regulation under Act which would be emitted from any proposed major stationary source or major modification which the Administrator, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or modification through application of production processes or

available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such pollutant. In no event shall application of best available control technology result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard under 40 CFR parts 60 and 61. This definition is mirrored in the Ohio SIP at OAC 3745-31-01(M).

- l. 40 C.F.R. § 52.21(b)(21)(2001) defines “actual emissions” as “the average rate, in tons per year, at which the unit actually emitted the pollutant during a two year period which precedes the particular date. . .” and states that for any emissions unit that has not begun normal operations on the particular date, actual emissions shall equal the PTE of the unit on that date. 40 C.F.R. § 52.21(b)(21)(iv)(2001). This definition is mirrored in the Ohio SIP at AC 3745-31-01(B).
- m. 40 C.F.R. § 52.21(b)(23)(2001) defines “significant” and states that in reference to SO<sub>2</sub>, significant net emissions increase means an emissions rate that would equal or exceed 40 tons or more per year of SO<sub>2</sub>. 40 C.F.R. § 52.21(b)(23)(i)(1999). This definition is mirrored in the Ohio SIP at OAC 3745-31-01(SSS).
- n. An applicant for a permit to modify a stationary source is required to submit all information necessary to allow the permitting authority to perform any analysis or make any determination required in order to issue the appropriate permit. 40 C.F.R. § 52.21(n)(2001). This requirement is mirrored in the Ohio SIP at OAC 3745-31-12(B).
- o. 40 C.F.R. § 52.21(i)(2001) prohibits the construction of any new major stationary source or any major modification without a permit which states that the source or modification would meet the requirements of 40 C.F.R. § 52.21(j) through (r)(1999). 40 C.F.R. § 52.21(j) through (r)(2001) require that a source subject to PSD regulations undergo a control technology review, install BACT, and conduct air quality modeling. This requirement is mirrored in the Ohio SIP at OAC 3745-31-13(B).
- p. 40 C.F.R. § 52.21(j)(2001) requires the owner or operator of a new major stationary source or major modification to apply BACT for each pollutant that experienced a significant net emission increase as a result of a physical or operational change to that source. This requirement is mirrored in the Ohio SIP at OAC 3745-31-15.

#### National Standards of Performance for Sulfuric Acid Plants

- q. Section 111(b) of the Act requires the Administrator of the EPA to establish federal standards of performance for new stationary sources of air pollutants that, in his or her judgment, causes or contributes significantly to air pollution which may reasonably be anticipated to endanger public health or welfare. 40 C.F.R.

Part 60 contains standards of performance promulgated by the Administrator in accordance with Section 111. Sulfuric acid plants were among the first stationary sources of air pollution designated by the Administrator to be regulated under Section 111.

- r. Section 111(e) of the Act provides that after the effective date of a standard of performance promulgated under Section 111, it is unlawful for any owner or operator of any new source to operate such source in violation of that standard.
- s. The general provisions to NSPS (40 C.F.R. §§ 60.1-60.19) define “modification” as “any physical or operational change to an existing facility which results in an increase in the emission rate to the atmosphere of any pollutant to which a standard applies . . .” For the purposes of NSPS, the emission rate is expressed in kilograms per hour (pounds per hour) of any pollutant discharged to the atmosphere. The general provisions go on to require any modified facility to comply with the applicable NSPS standard within 180 days from the completion of any physical or operational change.
- t. A modified stationary source must comply with all applicable standards within 180 days from the completion of any physical or operational change. 40 C.F.R. § 60.14(g).
- u. An affected facility under the NSPS for Sulfuric Acid Plants, 40 C.F.R. Part 60, Subpart H (40 C.F.R. §§ 60.80-60.85), is any sulfuric acid production unit constructed, reconstructed, or modified after August 17, 1971.
- v. 40 C.F.R. § 60.82 prohibits any affected sulfuric acid plant to emit SO<sub>2</sub> in excess of 2 kilograms per metric ton of acid produced (kg/ton) (4 pounds per ton of acid produced (lbs/ton)), the production being expressed as 100 percent sulfuric acid.
- w. 40 C.F.R. § 60.83 prohibits any affected sulfuric acid plant to emit sulfuric acid mist in excess of 0.075 kilograms per metric ton of acid produced (kg/ton) (0.15 pounds per ton of acid produced (lbs/ton)), the production being expressed as 100 percent sulfuric acid.
- x. The Sulfuric Acid Plant NSPS at 40 C.F.R. § 60.84 requires each affected sulfuric acid plant to install, calibrate, maintain, and operate a continuous monitoring system (CEMS) for SO<sub>2</sub>.

#### Requirements for Title V Operating Permits

- y. Title V of the Act, Sections 501 through 507, and its implementing regulations at 40 C.F.R. Part 70, establish an operating permit program for major stationary sources. The purpose of Title V Operating Permit Program is to ensure that all “applicable requirements” for compliance with the CAA, including PSD and NSPS requirements are collected in one comprehensive operating permit.

- z. Section 502 of the Act states that it is unlawful for any person to violate any requirement of a permit issued under this Title V, or to operate an affected source except in compliance with a permit issued by a permitting authority under Title V.
- aa. Section 502(f) and 40 C.F.R. § 70.6(a) requires all operating permits issued under Title V to include enforceable emission limitations and such other conditions as are necessary to assure compliance with “applicable requirements” of the CAA and the requirements of the applicable SIP. “Applicable requirements,” defined at 40 C.F.R. § 70.2, include any applicable PSD requirements and any applicable NSPS requirements.
- bb. 40 C.F.R. § 70.5(a) requires any owner or operator of a source subject to the Title V program to submit a timely and complete permit application that contains information sufficient to determine the applicability of any applicable requirements (including any requirement to meet BACT pursuant to PSD and to comply with NSPS), certifies compliance with all applicable requirements, provides information that may be necessary to determine the applicability of other applicable requirements of the CAA and contains a compliance plan for all applicable requirements for which the source is not in compliance.
- cc. 40 C.F.R. § 70.5(b) requires any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application to promptly submit such supplementary facts or corrected information upon becoming aware of such failure or incorrect submittal.
- dd. EPA fully approved the Ohio Title V program, effective October 1, 1995. 60 Fed. Reg. 42045 (August 15, 1995). Ohio’s Title V permit requirements are codified at OAC 3745-77.

### **Factual Background**

- 2. The chronology of ownership of the Source at times relevant to this Notice is as follows: prior to September 29, 1993, the Source was owned and operated by Cairo Chemical Corporation. On or about September 29, 1993, the Source was purchased from Cairo Chemical Corporation by Coulton Chemical Company, L.P. and subsequently owned and operated by Coulton Chemical company until approximately September 30, 1996. On or about September 30, 1996, Marsulex Inc. purchased the Source from Coulton Chemical Company, L.P. Marsulex, Inc. owned and operated the Source until approximately July 2001. In approximately July 2001, Chemtrade purchased the Source from Marsulex, Inc.. Chemtrade has owned and operated the Source since approximately July 2001.
- 3. On or about January 1996, Chemtrade’s predecessor, Coulton Chemical Company, L.P., began an expansion project which consisted of numerous changes and upgrades to the Source for purposes of increasing the maximum sulfuric acid production rate of the sulfuric acid plant. The project included, *inter alia*, retubing the A Plant boiler; replacing catalyst



beds; repacking the absorption and drying towers; replacing the demister pad and related equipment in the absorption and drying towers; installing a booster fan in Plant B; installing a booster fan in the oleum system; repacking the oleum tower; replacing the economizer; and replacing an interpass heat exchanger. When Marsulex, Inc. assumed ownership of the Source on September 30, 1996, it continued the construction project in order to increase production (hereinafter "the Project" or "Expansion Project"). The project was completed by Coulton Chemical Company, L.P.'s successor, Marsulex, Inc. in or about November 1998.

#### **Prevention of Significant Deterioration Violations**

4. At all times relevant to this Notice, the Source is a major stationary source as defined in 40 C.F.R. § 52.21(b)(1)(i)(a)(2001) and the Ohio SIP because it is a sulfuric acid plant with a PTE of SO<sub>2</sub> in excess of 100 tons per year.
5. As a result of the sulfuric acid plant Expansion Project the actual emissions of SO<sub>2</sub> from the sulfuric acid plant increased beyond the significance level for SO<sub>2</sub> of 40 tons per year. Therefore, the Project caused a significant net emission increase of SO<sub>2</sub>.
6. Because the sulfuric acid plant Expansion Project caused a significant net emission increase of SO<sub>2</sub> at a major stationary source, the Project was a "major modification," as defined in 40 C.F.R. § 52.21(b)(2) (2001) and the Ohio SIP, triggering the requirement to (1) obtain a PSD permit, (2) apply BACT on the sulfuric acid plant, and (3) demonstrate that the proposed change did not cause a significant deterioration in air quality in accordance with 40 C.F.R. § 52.21(j) through (r) (2001), the Ohio SIP, and Sections 110 and 165 of the Act.
7. Chemtrade's operation of the Source subsequent to the major modification without applying for and receiving a PSD Permit and applying BACT for SO<sub>2</sub> to the sulfuric acid plant constitutes a violation of 40 C.F.R. § 52.21(j) through (r) (2001), the Ohio SIP, and Sections 110 and 165 of the Act.

#### **New Source Performance Standard Violations**

8. The 100% sulfuric acid production capacity of the sulfuric acid plant increased from 150 tons per day to approximately 215 tons per day as a result of the sulfuric acid plant Expansion Project.
9. The SO<sub>2</sub> emission rate to the atmosphere increased from a maximum of 218 pounds per hour before the sulfuric acid plant Expansion Project to a maximum 313 pounds per hour after the Project.<sup>1</sup>
10. The sulfuric acid mist emission rate to the atmosphere increased from 1.04 pounds per hour before the sulfuric acid plant Expansion Project to 1.49 pounds per hour after the Project.<sup>2</sup>

---

<sup>1</sup> As calculated using an emission factor of 35 lbs of SO<sub>2</sub> per ton of 100% sulfuric acid produced in accordance with 40 C.F.R. § 60.14(b)(1).

11. The sulfuric acid plant Expansion Project increased the hourly emission rate of both SO<sub>2</sub> and sulfuric acid mist, the Project triggered the NSPS “modification” provisions in 40 C.F.R. § 60.14 for SO<sub>2</sub> and sulfuric acid mist. As a result, the sulfuric acid plant is subject to the standards for SO<sub>2</sub> and sulfuric acid mist in 40 C.F.R. Part 60, Subpart H (40 C.F.R. §§ 60.80-85).
12. The sulfuric acid plant routinely emits more than the Sulfuric Acid Production NSPS standard for SO<sub>2</sub> of 2 kilograms per metric ton of acid produced (kg/ton) (4 lbs/ton), at 40 C.F.R. § 60.82 and the standard for sulfuric acid mist of 0.075 kg/ton (0.15 lbs/ton) at 40 C.F.R. § 60.83.
13. The sulfuric acid plant is not equipped with a properly installed, calibrated, and maintained continuous emission monitor for SO<sub>2</sub> which meets Performance Specification 2 in 40 C.F.R. Part 60 Appendix B in accordance with 40 C.F.R. § 60.84.
14. Chemtrade’s act of emitting more than 2 kg/ton (4 lbs/ton) of SO<sub>2</sub> while operating the sulfuric acid plant violates 40 C.F.R. § 60.82 and Section 111 of the Act.
15. Chemtrade’s act of emitting more than 0.075 kg/ton (0.15 lbs/ton) of sulfuric acid mist while operating the sulfuric acid plant violates 40 C.F.R. § 60.83 and Section 111 of the Act.
16. Chemtrade’s act of operating the sulfuric acid plant without continuous emission monitor for SO<sub>2</sub> while operating the sulfuric acid plant violates 40 C.F.R. § 60.84 and Section 111 of the Act.

#### **Title V Operating Permit Violations**

17. Chemtrade’s predecessor Marsulex, Inc., submitted a Title V permit application for the Source on September 26, 1996. The application did not identify NSPS and PSD as applicable requirements to the Source, it did not certify compliance with NSPS and PSD requirements, and it did not contain a compliance plan for NSPS or PSD requirements.
18. After purchasing the plant in or about July 2001, Chemtrade operated the Source in noncompliance with NSPS and PSD regulations. Furthermore, Chemtrade did not supplement or correct the Title V permit application with supplementary facts and corrected information concerning the applicability of NSPS and PSD to the sulfuric acid plant.
19. The Title V permit for the Source was issued to Chemtrade on December 31, 2002. The permit does not list NSPS and PSD as applicable requirements and it does not contain a compliance plan for NSPS and PSD.
20. Chemtrade’s failure to submit a complete application for a Title V operating permit that

---

<sup>2</sup> As calculated using an emission factor of 0.166 lbs of sulfuric acid mist per ton of 100% sulfuric acid produced in accordance with 40 C.F.R. § 60.14(b)(1).

identifies all applicable requirements, that accurately certifies compliance with such requirements, and that contains a compliance plan for all applicable requirements for which it is not in compliance (including information pertaining to the sulfuric acid plant Expansion Project, the requirement to meet BACT pursuant to a new BACT determination under PSD) and its failure to supplement and/or correct the September 26, 1996 Title V permit application with supplementary facts and corrected information regarding the sulfuric acid plant expansion violates Title V permitting requirements at Section 503 of the Act, 40 C.F.R. Part 70, and OAC 3745-77.

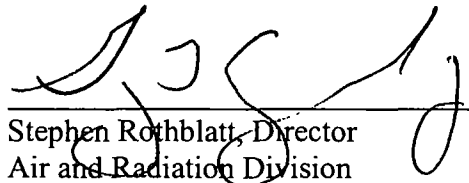
21. Chemtrade's act of operating the Source without a Title V operating permit that identifies all applicable requirements (including NSPS and PSD) and that contains a compliance plan for all applicable requirements for which it is not in compliance violates Title V permitting requirements at Section 502 of the CAA, 40 C.F.R. Part 70, and OAC 3745-77.

### **Environmental Impact of Violations**

22. Violation of the SO<sub>2</sub> requirements increases the quantity of SO<sub>2</sub> in the environment. SO<sub>2</sub> causes severe respiratory problems and contributes to childhood asthma. SO<sub>2</sub> is a significant contributor to acid rain, visibility impairment, fine particulate matter formation and smog.
23. Violation of sulfuric acid mist standards increases public exposure to the harmful effects of this pollutant. Sulfuric acid mist can cause respiratory damage, and damage to the mouth, throat, lungs and eyes

12/7/07

Date

  
Stephen Rothblatt, Director  
Air and Radiation Division

ACF/MSG

## CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Notice and Finding of Violation, No. EPA-5-06  
, by Certified Mail, Return Receipt Requested, to:

Timothy J. Haniford  
Plant Manager  
Chemtrade Logistics (U.S.), Inc.  
7680 Ottawa Road  
Cairo, Ohio 45820-0310

I also certify that I sent copies of the Notice of Violation and Finding of Violation by first  
class mail to:

Robert Hodanbosi, Chief  
Division of Air Pollution Control  
Ohio Environmental Protection Agency  
Lazarus Government Center  
P.O. Box 1049  
Columbus, Ohio 43216

And

Donald Waltermeyer, Air Pollution Control Supervisor  
Ohio Environmental Protection Agency  
Northwest District Office  
347 North Dunbridge Road  
Bowling Green Ohio 43402

on the 7 day of December, 2007.

CERTIFIED MAIL RECEIPT NUMBER: 7001 0320 0005 8919 1730